Unit	ED STATES PATE	UNITED STATES DEPAR United States Patent and Address: COMMISSIONER F P.O. Box 1450 Alexandria, Virginia 223 www.uspto.gov	Trademark Office OR PATENTS		
APPLICATION NO.	FILING DATE	MADEMAN ST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/621,435	07/17/2003	Janet Codd	DOVP-1-0901	1728	
7590 11/28/2006			EXAMINER		
Jeffrey J. King			ROGERS, JAM	ROGERS, JAMES WILLIAM	
BLACK LOWE & GRAHAM PLLC Suite 4800 701 Fifth Avenue		RECEIVED	ART UNIT	PAPER NUMBER	
			1618		
Seattle, WA	98104	DEC 04 2006	DATE MAILED: 11/28/2000	5	

Black Lowe & Graham PLLC

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED
JE
Action: File Amend in New
12/28/06
CPI 11/106 FT 12/14/87

OIPE 40					
Notice of Non-Compliant	Application No. 10/621,435	Applicant(s)			
Amendment (37 FR 1.121)	Examiner	Art Unit			
American	Rogers, James	1618			
The MAILING DATE of this communication app					
The amendment document filed on <u>15 November 2006</u> is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following tem(s) is required.					
THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE  1. Amendments to the specification:  A. Amended paragraph(s) do not include  B. New paragraph(s) should not be unde  C. Other	e markings.	NT TO BE NON-COMPLIANT:			
<ul> <li>2. Abstract:</li> <li>A. Not presented on a separate sheet. 37 CFR 1.72.</li> <li>B. Other</li> </ul>					
<ul> <li>3. Amendments to the drawings:</li> <li>A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).</li> <li>B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.</li> <li>C. Other</li> </ul>					
<ul> <li>✓ 4. Amendments to the claims:</li> <li>☐ A. A complete listing of all of the claims is not present.</li> <li>☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)</li> <li>☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).</li> <li>☐ D. The claims of this amendment paper have not been presented in ascending numerical order.</li> <li>☐ E. Other:</li> </ul>					
5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  ———  For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.					
TIME PERIODS FOR FILING A REPLY TO THIS NOTI		VII EI G / 14.			
1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.					
2. Applicant is given <b>one month</b> , or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a <i>Quayle</i> action. If any of above boxes 1. to 4. are checked, the correction required is only the <b>corrected section</b> of the non-compliant amendment in compliance with 37 CFR 1.121.					
Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.					
Failure to timely respond to this notice will result in:  Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or  Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental					
amendment TINA BARDEN		(571) 272-0555			
Legal Instruments Examiner (LIE), if applicable	<del></del>	Telephone No.			
S. Patent and Trademark Office	···	Part of Paper No.			



## CERTIFICATE OF MAILING

Codd, et al

Title of Invention: Bicifadine Formulation

Serial No.: 10/621,435

Filing Date: July 17, 2003

Attorney Dkt. No.: DOVP-1-0901

## CERTIFICATE OF MAILING OR TRANSMISSION

Date of Deposit: December 12, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR, Section 1.10 on the date indicated above and is addressed to: The Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 by

Susan M. Wanger

## **Enclosures:**

- 1. Substitute Amendment/Response To Restriction/Election Requirement
- 2. Copy of Notice of Non-Compliant Amendment
- 3. Postcard